
27 years in 2017: RATIFY & REPORT

#ACRWCForum

African Committee of Experts on the Rights and Welfare of the Child
For an Africa fit for children
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Experience Sharing Forum

27 - 29 September, 2017
Mauritius

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**BACKGROUND**


2. To monitor the implementation of the African Children’s Charter, the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) was established in 2001 in accordance with article 32 of the African Children’s Charter. Drawing its mandate from article 42, the Committee has a mandate to receive State Party Reports on the implementation of the African Children’s Charter, Article 43 of the ACRWC prescribes that State Parties to the Charter must submit their Initial Reports within two years of ratification of the ACRWC and Periodic Reports on the implementation of the ACRWC every three years. To date, September 2017, 48 African Countries have ratified the Charter, with seven (7) countries yet to ratify. Regarding the status of reporting, 30 States Parties have submitted their Initial reports while 8 States, have submitted Periodic reports.

3. Considering this radiation and reporting gap, the Executive Council, in its various Decisions relating to the work of the ACERWC, calls upon AU Members States that have not yet ratified the ACRWC to accelerate the process and urges State Parties that have not yet submitted their reports to comply with the provision of the ACRWC and expedite submissions.

4. In addition to the ratification and reporting gaps, the ACERWC also notes a disparity in the implementation of the Charter in different Countries. As inferred from the constructive dialogue that the Committee undertakes as part of the State Party consideration mechanism, the Committee identifies common trends of non-compliance on the following areas in various State Parties to the Charter:

   - Discrimination, in terms of equal opportunities and access to social services, including health facilities and education, against some group of children including girls, children with disability, children from rural places, children in the street, child victims and witnesses of crime, refugee children and children from other marginalized groups.
African Charter on
the Rights and Welfare
of the Child

1. Democratic Republic of Congo
2. Morocco
3. Sahrawi Arab Democratic Republic
4. Somalia
5. Sao Tome & Principe
6. South Sudan
7. Tunisia
8. Burundi
9. Botswana
10. Cape Verde
11. Central African Republic*
12. Djibouti
13. Equatorial Guinea
14. Gambia
15. Guinea Bissau
16. Mauritius
17. Seychelles
18. Zambia
19. Burundi
20. Botswana
21. Cape Verde
22. Central African Republic*
23. Djibouti
24. Equatorial Guinea
25. Gambia
26. Guinea Bissau
27. Mauritius
28. Seychelles
29. Zambia
30. Burundi
31. Botswana
32. Cape Verde
33. Central African Republic*
34. Djibouti
35. Equatorial Guinea
36. Gambia
37. Guinea Bissau
38. Mauritius
39. Seychelles
40. Zambia

* Report not due yet. CAR has ratified the Charter in 2016.
• Lack of accessible, universal functional birth registration system. Particularly, the Committee notes that, in a number of Countries, the birth of a large number of foreign children born to undocumented migrant and refugee women are not registered which leaves them at risk of statelessness.

• High rate of sexual and physical violence against children is also recorded as a recurring trend in many Countries. This includes, high rate of rape and trafficking in for sexual purposes.

• In significant part of the Continent, children are still subjected to HTPs including child marriage, ritual killings and FGM.

• Though there is an encouraging trend in some countries, the Committee still notes the existence of a high rate of under-five mortality rate, which is mainly due to due to diarrhea, pneumonia, malaria, poor access to antenatal and postnatal care, disparity in health service provisions in urban and rural areas, poor nutrition, and the impact of HIV/AIDS pandemic.

• In some part of the Continent, recruitment of children into armed groups and radicalization of children into extremist groups also remains a challenge.

5. Despite the above gaps, the Committee also recognises encouraging trends in implementing the provisions of the African Children’s Charter. Some countries have recorded promising development with regard to placing enabling laws and policies in place and establish relevant ministries or units which are responsible for protection and promotion children’s rights in their jurisdictions. Some have also amended their laws and policies with a view of aligning them the provisions of the Charter. The disparity between boys and girls in primary schools has also been reduced in some countries. From State Parties which have submitted their periodic reports on the implementation of the Charter, the Committee learned that there are endeavours made to multiply schools with integrated classes for children with disabilities including increasing the number of specialized trainers and mentors, and to integrate the issue of this category of children in the definition and implementation of development policies.

6. Given the above points, the ACERWC, is organizing this experience sharing forum on ratification, reporting and implementation of the Charter where representatives from State Parties, National Human Rights Institutions and Civil Society Organisations share their achievements as well as challenges with regard to the protection of children’s rights enshrined under the Charter. The Forum also explores the process of State Party reporting mechanism with a view of explaining the relevance and process of to the ACERWC. Moreover, the Forum encourages cooperation and the exchange of good practices among Member States and national mechanism in the context of implementing the African Children’s Charter and reporting to its monitoring body.

7. The objectives of the Forum are as set forth below:

   ✓ To solicit the universal ratification of the ACRWC and mobilize the widest political support to this end;
   ✓ To engage State Parties which have entered reservations to consider withdrawing their reservations;
   ✓ To encourage States Parties which have not yet reported to comply with their obligations under the Charter;
   ✓ To identify mechanism in which State Parties can translate into practice the concluding observations and recommendations of the Committee;
   ✓ To popularize and raise awareness on the Guidelines for submission of initial and periodic State Party reports;
   ✓ To identify specific challenges with regard to reporting on and implementation of the provisions of the African Children’s Charter in the respective Member States and promote a coordinated cooperation and mutual assistance for the full respect of children’s rights;
   ✓ To encourage CSOs engagement in the reporting process.

8. In order to make the Forum more meaningful and target oriented, strategies and specific tasks are identified which will guide participant states to ratify, report on, and implement the African Children’s Charter.
9. The following paragraphs explain and provide guidance on the contents that the various presentations and discussions will focus on.

**AFRICAN HUMAN RIGHTS SYSTEM, THE AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD AND ITS MONITORING BODY**

10. Regional human rights systems are created to complement the protection and promotion of human rights at the global level. The global human rights protection and promotion is found under the umbrella of the United Nations. The regional human rights systems are placed in the framework of the regional intergovernmental organizations. Likewise, the African Human Rights System is under the framework of the African Union.

11. Having a regional human rights system separate from the universal or global system has its own advantages and plays a complimentary role to the universal system. The rationales behind establishing regional systems include the following reasons:

- To have a system that is more sensitive to the context of the continent. Especially in the African, it is notable that many African countries predominantly are societal communities in the sense that they live a very communal life. It is for this reason, for example, that the concepts of peoples’ rights as well as individual duties are recognized in the African human rights system.

- Specificity is another advantage of regional systems. At the global level, it is difficult to concede on specific matters as the global system brings different cultures and contexts together. This resistance declines at the regional level where there is less contention of culture. Therefore, specific issues are better dealt by regional systems. Laws and institutions that deal with detailed and specific issues can be done more efficiently at a regional level than at global level.

- Sense of belongingness is also deemed to increase in regional systems due to contextual similarities and closeness. Increased sense of belongingness has its own advantage such as enhancing the enforceability of laws and decisions in the system.

- Regional systems play a complementary role to the universal system. Through their specificity, regional systems can address issues that have not been settled by the universal system. Transnational systems set the minimum standard for human rights protections below which States cannot perform. Regional mechanisms offer an opportunity to raise the minimum standard and elevate human rights protection by specifying more protective standards.

12. Being one of the regional mechanisms, the African human rights system is composed of instruments and institutions. The main instruments include, the African Charter on Human and Peoples’ Rights and its protocol on the Rights of Women in Africa, the African Charter on the Rights and Welfare of the Child, The African Charter on Democracy, Elections, and Governance, and Convention Governing the Specific Aspects of Refugee Problems in Africa. Furthermore, the Protocol to the African Charter on Human and Peoples’ Rights Establishing the African Court on Human and Peoples’ Rights is another important instrument that makes up the regional system. From the aforementioned instruments, institutions that constitute the African human rights system emerge. Basically, there are three main human rights institutions in the region, namely, the African Commission on Human and Peoples’ Rights (ACHPR), the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), and the African Court on Human and Peoples’ Rights (AfCHPR). The Commission is established by the African Charter on Human and Peoples’ Rights (ACHPR), the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), and the African Court on Human and Peoples’ Rights (AfCHPR). The Commission is established by the African Charter on Human and Peoples’ Rights to monitor the implementation of human rights instruments in Africa. The Committee is established to monitor the implementation of the African Children’s Charter. The Court is established to complement the protection mandate of the ACHPR with a view to ensuring enforceability of human rights decisions by rendering binding decisions.

13. Though the adoption of the African Children’s Charter has been influenced by its predecessor regional child rights instruments, it has revealed itself with some form of peculiarities to advance the protection of children in Africa. The African Children’s Charter is crafted in a manner it can be able to address the problems of African children.

14. The exclusion or marginalization of African countries in the drafting process of the UN CRC is the major factor which led to the establishment of a region specific instrument. Due to such underrepresentation, most of the concerns of African Children were neglected. Moreover, some specific omissions from the CRC, such as the situation of children living under apartheid,
factors disadvantaging the female child, socio-economic conditions of African children, and a compulsory minimum age for military service have necessitated the adoption of this regional instrument. This is clearly envisaged in the document itself. The Preamble of the African Children’s Charter states that the Charter is established to recognize the situation of African children which ‘remains critical due to the unique factors of their socio-economic, cultural, traditional and developmental circumstances, natural disasters, armed conflicts, exploitation and hunger’ (Para 4 of the Preamble).

15. The African Children’s Charter covers various substantive rights of African children in its 31 substantive provisions. It recognizes children as subjects of rights and strives to change the perception that ‘children are to be seen, not heard’. The Charter has mainly four general principles namely, non-discrimination; best interest of the child; right to life, survival and development; and participation of the child. These general principles are applicable in the translation of all of the provisions of the Charter. In addition, it also consists of provisions which are articulated in an innovative and progressive manner for the advancement of children’s rights in Africa. This enables the Charter to accord a greater degree of protection for African Children.

16. The peculiar aspects of the Charter that have elevated the global minimum standard of protection of the rights of children include:

a. Definition of the child: the Charter clearly indicates that a child is anyone below the age of 18 and there is no exception to this rule.

b. Child marriage: the Charter, with no exception, proscribes child marriage and betrothal of children.

c. Child solders: no recruitment of children is allowed under the Charter.

d. Internally displaced children: the Charter provides measures that should be taken to protect refugee children and extends the same protection to internally displaced children.

e. Responsibilities of the child: the Charter includes a provision on the responsibilities of children towards their family, community and country.

17. The ACERWC is the monitoring organ of the African Children’s Charter. It has various mandates on the protection and promotion of children’s rights enumerated in the Charter. The Committee has the mandate to receive and consider State Party Reports on the implementation of the provisions of the African Children’s Charter. It can receive and consider communications brought against State Parties on alleged violations of the provisions of the Charter. In addition, the Committee has the mandate to interpret the provisions of the Charter and it does so through the adoption of General Comments. The Committee is also tasked with undertaking investigations and missions. Furthermore, it can lay down principles and conduct researches in relation to children’s rights issues within the continent.

RATIONALITY AND PRACTICALITIES OF RATIFICATION

18. Ratification of international instruments is a consensual act undertaken by the good will of states. Even though it is a consent based activity, there are numerous reasons that convince states to ratify international instruments. The ratification of international laws, particularly human rights instruments, partly proves States’ commitment to respect, protect and fulfil human rights. Put differently, it is a way that States tell the world that they are human rights friendly and willing to adhere to international human rights standards. This willingness of States is translated into practice by taking legislative, administrative and other measures domestically. The aim of ratification of the African Children’s Charter is no different case. The reasons why States are encouraged to ratify the African Children’s Charter include:

a. strengthening their willingness to protect the rights of children in their respective countries;

b. laying down stepping stone to harmonize their domestic laws and policies with the standards set forth in the Charter;

c. placing a monitoring and evaluation mechanism for the implementation of the rights enumerated in the Charter through the reporting mechanism;

d. providing children a recourse mechanism when organs of the State fail to protect their rights;

e. increasing awareness about the children’s rights in the respective countries and initiating a coordinated dialogue with stakeholders in children’s rights issues; and

f. building good image for countries.
19. The process of the ratification of the Charter is initiated by signing the Charter at the Legal Counsel of the African Union Commission. Nevertheless, practically there is no hard and tight rule about signature, meaning that States can proceed to the ratification procedure without signature. This does not mean that signature does not have any legal consequence. In accordance with article 18 of the Vienna Convention on the Law of Treaties (VCLT), States who have signed but not ratified an international instrument cannot engage in activities that hinder the object and purpose of the signed instrument.

20. After signature, States are expected to domestically ratify the Charter following their rules on ratification. For instance, in some countries ratification is conducted through parliamentary act.

21. The domestic ratification is not sufficient to be legally bound by the Charter. States should submit their ratification document to the Legal Counsel of the African Union Commission pursuant to article 16(b) of the Vienna Convention on the Law of Treaties. It is only after the submission of the ratification document that a country becomes a State Party to the Charter.

RESERVATIONS

22. The VCLT defines reservation as follows:

“Reservation” means a unilateral statement, however phrased or named, made by a State, when signing, ratifying, accepting, approving or acceding to a treaty, whereby it purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that State.

23. In other words, States can select certain provisions and limit the scope of their obligation under that provision, or make that provision non-applicant on them. However, this does not mean that States can enter into reservation on provisions they wish to. The VCLT puts a limitation on the sovereignty of States to make reservations. Therefore, States cannot enter into reservations if the reservation contradicts with the object and purpose of the Charter.

This begs a question as to who determines that a certain reservation is incompatible with the object and purpose of the Charter. According to modern international law, either State Parties to the respective treaty or the treaty body can decide that reservations are contrary to the object and purpose of the treaty. Following this argument, the Committee for instance made a decision that the reservation entered by the Republic of Egypt on the mandate of the Committee to receive communications is incompatible with the Charter as it renders the objective of the Charter to protect the rights of children futile.

24. It is very imperative to note that the main aim of allowing reservations is to encourage States to ratify a treaty that would otherwise not ratify the treaty. It is better that States make reservations on few issues and ratify the Charter than fully disregarding the Charter. Nevertheless, the aim is not to allow States to choose to violate the provisions of the Charter and lessen the protection of children’s right in their country.

25. While ratifying the African Children’s Charter, four State Parties; Botswana, Egypt, Mauritania and Sudan, have placed reservations on some provisions of the Charter declaring that they do not consider themselves bound by the obligations included in those particular articles.

<table>
<thead>
<tr>
<th>Country</th>
<th>Does not consider itself bound by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Botswana</td>
<td>Article II - Definition of a Child</td>
</tr>
<tr>
<td>Egypt</td>
<td>• Articles XXI (2)- Child marriage and betrothal of girls and boys;</td>
</tr>
<tr>
<td></td>
<td>• Article XXIV- Adoption;</td>
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<tr>
<td></td>
<td>• Article XXX (a- e)- Children of imprisoned mothers;</td>
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<tr>
<td></td>
<td>• Article XLIV- Communications;</td>
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<td>• Article XLV (1)- Investigations by Committee.</td>
</tr>
<tr>
<td>Mauritania</td>
<td>Article IX – Freedom of conscience and religion</td>
</tr>
<tr>
<td>Sudan</td>
<td>• Article X – Protection of privacy;</td>
</tr>
<tr>
<td></td>
<td>• Article XI (6) – Education of children who become pregnant before completing their education; and</td>
</tr>
<tr>
<td></td>
<td>• Article XXI (2) – Child marriage and betrothal of girls and boys.</td>
</tr>
</tbody>
</table>

26. Looking at the reservations placed by the above state Parties, the Committee is concerned as to whether some of the reservations entered by the State Parties are compatible with the object and purpose of the African Children’s Charter. Particularly, the Committee notes that the reservations entered by the Government of Botswana on article 2 of the Charter, regarding the definition of the child, and by the Government of Egypt on article 44 & 45, regarding
1. Democratic Republic of Congo
2. Morocco
3. Sahrawi Arab Democratic Republic
4. Somalia
5. Sao Tome & Principe
6. South Sudan
7. Tunisia

1. Burundi
2. Botswana
3. Cape Verde
4. Central African Republic*
5. Djibouti
6. Equatorial Guinea
7. Gabon
8. Guinea
9. Mauritius
10. Seychelles
11. Swaziland
12. Zambia

* Report not due yet; CAR has ratified the Charter in 2016.

1. Burkina Faso
2. Cameroon
3. Kenya
4. Nigeria
5. Niger
6. Rwanda
7. South Africa
8. Tanzania

Countries who have NOT R ATIFIED the Charter

Countries who have entered a RESERVATION on the Charter

Countries who have NOT SUBMITTED a Report

Countries who have SUBMITTED both their INITIAL and PERIODIC Reports to the Committee

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the communication and investigation mandate of the Committee, are not compatible with the requirement as stated in the Vienna Convention on the Law of Treaties.

27. Article 2(1) (d) of the Vienna Convention on the Law of Treaties permits State Parties to international treaties to place reservation on provisions of a treaty they commit to ratify or accede to. However, this enabling provision has to be read together with the principle alluded under Article 19(c) of the same Treaty which prescribes that reservations incompatible with the object and purpose of a treaty are not acceptable.

28. The object and purpose of the African Children’s Charter is to create legally binding standards for children’s rights and to place these standards in a framework of obligations which are legally binding for those States which ratify it. The provision of the Charter that defines child (article 2) is an indispensable provision without which other rights enshrined in the Charter cannot operate. Hence, it is the Committee’s view that entering a reservation on a provision dealing with the definition of child goes against the foundation of the on which the whole rights of a child is established.

29. Moreover, the Committee notes that reservations that purport to evade essential element, such as monitoring implementation of the Charter, which is also directed to securing the enjoyment of the rights, are incompatible with the object and purpose of Charter. The object and purpose of the African Children’s Charter is closely linked to its individual communications procedure, which in the absence of effective domestic remedies, is intended to provide access to justice to cases that allege violation of children’s rights recognized in the Charter. The object and purpose of the African Children’s Charter is in part captured in the principle that in ‘all actions’ the ‘best interest of the child’ must be ‘the primary consideration’ (Article 4). Using this yardstick, the communications procedure is an integral part of the protection and promotion of the rights of children under the African Children’s Charter, and the resulting state accountability is intended to serve the best interest of children.

30. Though Article 44 and 45 of the Charter are procedural provisions, it is the Committee’s firmly held view that their application has a direct impact on all substantive provisions in the Charter. The Committee further notes that under international human right law, it is established that placing reservation on procedural provisions of human right treaties is incompatible with the object and purpose of such treaty.

31. Furthermore, part of the object and purpose of the African Children’s Charter can be deciphered from the historical context that necessitated and accompanied its adoption: The African Children’s Charter was adopted in 1990, in the wake of the adoption of the UN Convention on the Rights of the Child, adopted in 1989. The Charter was adopted in part to remedy some of the substantive and procedural shortcomings of the UN Convention. In this regard, a prominent feature distinguishing the African Children’s Charter from its UN predecessor is the inclusion in the former an integrated individual complaint procedure in Article 44. It is only in February 2012 that the individual complain mechanism under the UNCRC was opened for signature and came into force in April 2014. Article 44, therefore, goes to one of the very rationales for the treaty’s creation. Making a reservation on this provision could be taken to mean that the State will not be held accountable in case substantive provisions of the Charter are violated; thereby denying remedies in instances effective local remedies are not available. In general, the Committee does not encourage State Parties to enter into reservations in order to create an Africa fit for children and urges those State Parties who have made reservations on selected provisions to withdraw their reservations.

**Rationale for Reporting on the Charter**

32. Ratification of the African Children’s Charter is merely an initial step towards the realization of the rights enshrined therein. The most important aspect is that State parties take concrete steps in their national system to give life to the provisions of the Charter. Given the sovereignty of States, international community has limited access to ensure that the Charter is being implemented. Being cognizant of this, the Charter has formulated a State Party reporting where by State Parties submit a report on the status of the implementation of the substantive provisions of the Charter. The ACERWC is the treaty body for the Charter which is tasked to receive and consider State Party reports. The rationales for the reporting mechanisms, among others, are:

a. giving States an opportunity to evaluate their laws and policies and to determine if their laws are in line with the Charter;
b. assessing the measures undertaken by States to respect, protect and fulfil children’s rights;
c. identifying the progress and challenges in the implementation of the Charter;
d. initiating a conversation about the implementation of the Charter among children and civil society;
e. receiving tips and recommendations from the African Committee of Experts on the kinds of measures States ought to take to reinforce their efforts in implementing the Charter; and

33. affirming the commitment of States shown through ratification.

STATE PARTIES’ REPORTING OBLIGATION

34. Pursuant to article 43(1) of the African Children’s Charter, State Parties are expected to submit their initial report two years after the ratification of the Charter and their periodic reports every three years after the submission of the initial report. The initial report is intended to provide general and comprehensive information about the status of children’s rights in State Parties. In addition to this, periodic reports provide information about the measures State Parties have been undertaking during the reporting period in view of the recommendations of the African Committee of Experts on the Rights and Welfare of the Child on the initial and subsequent periodic reports.

35. In the event where State Parties fail to submit their initial and periodic reports based on the timeline, the Committee can send up to three reminders to State Parties about their due reports. If a State Party does not respond to the reminder of the Committee and submit a report, the Committee can proceed and consider the situation of children’s rights in the State Party in the absence of a report as per article 9 of the Procedure for the Consideration of State Party Reports.

36. There are 11 Countries which have not reported to the Committee. One of these countries is Central African Republic which recently ratified the Charter and hence its report is not due yet. The remaining 10 countries have not submitted any report to the Committee. However, all these 10 countries have submitted reports to the UNCRC in different occasions. Taking into consideration the relevance of reporting, the relevance of having a regional system and the rationale for having the Charter, it is crucial that State Parties comply with their reporting obligations in a timely manner.

CONTENT OF STATE PARTY REPORTS

37. The State Party reports should incorporate information on the following nine clusters.

a. General measures of implementation

38. The information that should be contained in this cluster include legislative measures that have been undertaken to harmonize the domestic laws with the Charter; institutions available to implement child rights; issues of coordination among the various organs of the government; allocation of budget to children’s rights; and the availability of disaggregated data on children. Moreover, States should provide information about the steps taken to change negative societal values that hamper children’s rights as well as about the dissemination of the Charter and the State Party reports among children and a wide range of stakeholders.

b. Definition of the child

39. Under this cluster, the Committee expects to receive clarification on the definition of the child in the domestic laws. Apart from a general definition of the child, the report should include the minimum age of marriage and betrothal, minimum age of labour, and age of criminal responsibility.

c. General principles

40. There are four general principles in the Charter. These principles are regarded as general principles because their application is general in the sense that they are principles which States should give due regard to in the implementation of all provisions in the Charter. The principles are;

   non-discrimination

41. This section of the report should incorporate information about laws, policies and other measures taken to ensure non-discrimination. The issue of non-discrimination of children with disabilities, the girl child, rural children, refugee children, and other vulnerable children should be reflected.

   best interest of the child

42. The Charter stipulates that the best interest of the child should be the primary consideration in all decisions undertaken. Hence, reports should highlight
how the best interest of the Child is ensured in substantive laws, procedural laws, proceedings, and decision makings.

right to life, survival and development

43. Concerning the right to life, survival and development of children, State Party reports are expected to indicate infant mortality rate, child mortality rate, and measures taken to address the same. In addition, actions taken to address malnutrition, stunting, and preventable diseases should be included. The issue of safe drinking water, hygiene, immunization and vaccination are supposed to be tackled in this sub section.

44. In cases where there are practices or rituals that endanger the right to life and development of children, information in these regards should also be included in this section.

participation of the child

45. The participation of children is a cardinal principle which States should apply in their decision making processes. Children should have a space where they can participate in discussions and also an enabling environment where they can engage with government organs in the development of laws, policies and also judicial and administrative decisions. Furthermore, children’s access to information is an important aspect of the participation of children. Therefore, States may underline the measures they have taken in relation to the participation of children and the challenges they are facing.

d. Civil rights and freedoms

46. This cluster encompasses the following rights;

Right to name, birth registration, and nationality

47. Pursuant to article 6 of the Charter, State Parties are requested to provide information on accessibility of birth registration immediately after birth, availability of birth certification immediately after registration, free and universal birth registration and certification. The issue of non-discrimination should be reflected here and States should explain if birth registration is available to all children in their territory including refugee children, rural children, and other vulnerable children. The measures States are undertaking to prevent statelessness and ensure that children who are stateless obtain nationality should also be indicated. The legal requirement to obtain a nationality of a State Party as well as the administrative proceeding needs to be expounded to provide sufficient information to the Committee.

Right to freedom of expression, freedom of assembly and association, freedom of thought conscience and religion

48. Most contemporary constitutions incorporate fundamental freedoms such as freedom of expression, freedom of religion, freedom of association. Apart from the general protection of fundamental freedoms, the Committee is interested to know about the legislative and administrative measures taken to ensure that children exercise these freedoms. Hence, a State Party report should underscore if children have the freedom to associate and in what conditions. It should also highlight the method used to strike a balance between parental responsibilities and the freedom of religion of children.

Protection of privacy

49. Children are entitled to protection of their privacy and as such they should not be subjected to arbitrary interference on their privacy. In this regard, States should provide information on measures taken to ensure the protection of the right to privacy of children in day to day life as well as in court proceedings and decision makings. Particularly, the report should be informative about the protection of the privacy of child victims, child witnesses, and juvenile delinquents.

Freedom from torture and abuse

50. Issues that should be raised under this sub-cluster are pertaining to measures taken to protect children from inhuman and degrading treatments including those inflicted based on cultural beliefs, rituals, or witchcraft accusations. Moreover, information about the rate of corporal punishment in schools and the family along with the measures taken to ban corporal punishment and promote positive disciplining should be included. Government should also highlight the rate of prosecution of perpetrators of abuse and torture of any kind.

e. Family environment and alternative care

51. The primary aim of the Charter in relation to family environment is the protection of families and the prevention of separation of families. The Committee would like to get a picture of the legislative and administrative measures taken to protect the family and the kind of support provided to poor and vulnerable families. In cases where children are separated from
their families when their parents are alive, States are expected to allude to steps taken to reunify such children with their parents. Where reunification is not in the best interest of the child or where children are deprived of their family environment, alternative care systems need to operate. Reports should incorporate information about alternative care such as foster care and adoption, the proceedings followed to enroll children in alternative care, and monitoring and follow-up of such mechanisms once children are placed. Measures taken to deinstitutionalize children who are kept in centers should also be specified.

f. Health and welfare

52. In relation to health and welfare, the facts sought are concerning the accessibility, availability, affordability and quality of health care centers. The efforts to train health care workers, establish more health care facilities, and allocate a budget in line with the Abuja Declaration should be included. The report should also indicate the measures taken to ensure that all birth is conducted in health centers, to prevent HIV transmission from mothers to children, to identify disability at early stages and treat continuously, to make health centers accessible for children with disabilities, and to train special need health workers.

g. Education, leisure and cultural activities

53. Under this cluster, States are supposed to provide information on:
- The availability of a free and compulsory primary education;
- The provision of educational materials for free in primary education;
- Accessibility and quality of education including teacher student ratio;
- School feeding schemes and sanitation and hygiene materials in schools;
- Measures taken to progressively provide free secondary education;
- The rate of enrollment and attendance rates for primary and secondary education as well as dropout rates;
- Implementation of inclusive education and creation of disability friendly schools; and
- Vocational training centers.

h. Special protection measures

Children with disabilities

54. State Parties should provide information on the measures taken to train children with disabilities to prepare them for employment, to ensure that children with disabilities have access to public highways, buildings, and other places. The report should also reflect on the kind of support provided to children with mental disabilities and the participation of such children in decision makings.

Refugee and displaced children

55. This sub-cluster needs to include steps taken to provide a system in which refugees and asylum seekers are registered and their status is identified. It should also include information of the living conditions of the camps in which refugee and displaced children are accommodated, refugee children’s access to basic services, birth registration of refugee children, durable solutions available for refugee children, and reunification of displaced children with their families.

Children in armed conflict

56. In cases where there is a situation of armed conflict in a country, information on the measures taken to ensure that children are not recruited in armed struggles; to prevent the impact of armed conflict on children’s rights; to demobilize, disarm, reintegrate, and rehabilitate children affected by armed conflicts should be included. The actions taken to prosecute perpetrators of violence against these children and those who recruit children in armed conflict should also be mentioned.

Reforming the juvenile justice system

57. Under this section, the State should highlight the existence of children’s courts in all regions, trained personnel in the police and judiciary, free legal aid for children, and accelerated procedures in cases where children are involved. The report should also provide information on the diversion of children from the regular court proceeding, on alternative rehabilitative measure, and on separation of children from adults in detention centers.

Children of imprisoned caregivers

58. Concerning children of imprisoned caregivers, State Party reports should provide information on measures taken to ensure that children are not imprisoned with their caregivers; to give priority to non-custodial sentences to caregivers and expectant mothers; and to establish a separate detention facilities for caregivers who will be detained with their children where children can get access to education, health care and other basic services.

Harmful traditional practices

59. A State Party should mention in its report about the kinds of harmful practices...
that exist in the country and indicate an updated data on the prevalence of those practices. Additionally, it should inform the Committee about the laws and policies formulated to ban such practices measures taken to sensitize the community, police, and law enforcement; as well as steps taken towards the prosecution of perpetrators of harmful practices.

**Child labour and exploitation**

60. This section should present facts about the rate of child labour in a State Party and underline the legislative, administrative and judiciary measures taken to address the menace of child labour. The Committee would like to know if States have a list of hazardous works, labour inspection, and minimum wage and fixed working hours for children. Information should also be provided about the availability of education for working children; measures employed to remove children from hazardous working conditions; and actions taken against those who exploit children.

**Sexual exploitation**

61. State Parties are required to provide information about the rate of sexual abuse and exploitation in their country. In this respect, the report should assess the situation of child prostitutes, and the rehabilitation and reintegration services offered to them. The measures taken to sensitize the community and to prosecute perpetrators should be reflected in the report.

**Sale, abduction, and trafficking of children**

62. In this section, the following information needs to be contained in the report:

- Survey or mapping of sale, abduction, and trafficking of children;
- Identifying causes of sale, abduction, and trafficking and measures taken to address the root causes;
- Number of cases that have prosecuted traffickers and smugglers;
- Bilateral and multilateral agreements entered with other source, transit, and destination countries;
- Measures taken to return and rehabilitate children who are victims of abduction and trafficking.

**Children in situations of drug abuse**

63. Under this sub-cluster, the State Party report should provide a situational analysis about the use of drugs by children and the prevalence of the problem. It should address the measures put in place to prevent children’s use of drug and to rehabilitate and reintegrate children who have been using drugs. In cases where children are used in the production and trafficking of drugs, the Committee wishes to receive information about the actions taken against those who recruit children for such purposes.

**Children in street situations**

64. State Party reports are supposed to highlight the situation of children on the street. Detailed information about the number of children on the street, the reason dragging them to live on the street, measures taken to prevent street situation, steps towards reunifying children with their parents or placing them in alternative care services, and street children’s access to basic services.

i. **Responsibilities of the child**

65. Reports should indicate the laws and policies that enumerate the responsibilities of the child and the kinds of responsibilities assigned to children. In addition, the report should include the measures taken to educate and empower children to enhance their capacities and enable them discharge their duties and techniques used to ensure that children are not subjected to violation in the process of making them responsible.

**STAGES OF STATE PARTY REPORTING**

66. The State Party reporting mechanism has various stages. First, State Parties submit their report to the Committee. Following the submission of State Party reports, civil society, if possible, submit reports to complement the State Party reports. Civil society reports are intended to make the reporting mechanism more participatory and enable the Committee to get a full picture of the status of children’s rights in the respective countries. The Committee holds a pre-session to consider the civil society report. Afterwards, the Committee holds a pre-session to consider the civil society report. Afterwards, the Committee sends list of issues to State Parties on issues which it seeks clarification or additional information. State Parties then send their replies to the list of issues of the Committee. The Committee proceeds to have a session with the State Parties to consider the report and hold a constructive dialogue with the delegates. During the reporting session, State Parties are expected to bring a delegation that represents various sectors of the governments to make the discussion more interactive and informative.

67. After considering the State Party report, the Committee issues concluding observations and recommendations and forwards it to the State Party. Through the concluding observations, the Committee commends States for the progress they have achieved in the protection of children’s rights. The Committee also raises its concerns on the significant challenges and provides recommendations on the measures States might take to address the challenges. The purpose of the recommendations is not to be skeptical
but rather to encourage States to fortify their efforts in overcoming their challenges with regards to the protection and promotion of children’s rights.

Ensuing the concluding observations and recommendations, the Committee undertakes follow-up mission in State Parties which received the recommendations. The objective of the mission is to assess and examine the implementation of the recommendations and the challenges States face in that regard.

**PROCESS OF PREPARATION AND COMPILATION OF STATE PARTY REPORTS**

The process of preparation and compilation of State Party reports varies from states to states depending on the responsible organ for compiling the report, the budget allocated and many other factors. However, any State Party report preparation and compilation process should follow some relevant steps. Some of the important aspects that should be considered include:

a. Responsible organ- the organ that is responsible to prepare reports varies in each country. But, it is essential that there is a designated organ that is responsible to prepare and compile the State Party report. Having an organ responsible facilitates efficient and timely reporting.

b. Coordination- even if there should be a designated organ to prepare the report on the implementation of the African Children’s Charter, this does not mean that that organ alone will prepare the report. A State Party Report should incorporate concrete information and data in all sectors. To achieve this, there should be coordination among various organs of governments of State Parties to provide accurate and tangible information in their respective sectors. Therefore, there should exist coordination among the various government apparatus to ensure that the report is full-fledged.

c. Consultation- the preparation of State Party reports should be participatory and engaging. States should consult children, the general public, as well as CSOs in preparing their reports. Consultation is important to enrich the report and also to increase the credibility of the report.

70. The information gathered through the above coordination and consultation mechanism should then be compiled in line with the clusters and the reporting guidelines discussed above. Organization of the information according to the clusters facilitates a coherent and efficient discussion during the constructive dialogue.

**IMPLEMENTATION OF THE CONCLUDING OBSERVATIONS AND RECOMMENDATIONS OF THE COMMITTEE**

71. The ratification of and reporting on the African Children’s Charter are aimed at advancing the protection and promotion of children’s rights. Therefore, ratification and reporting should be accompanied by implementation efforts by State Parties to realize the rights contained in the African Children’s Charter.

72. Part of the implementation of the Charter is the implementation of the recommendations of the Committee sent to State Parties following the consideration of State Party reports. Based on the challenges presented by the State Parties in their reports and during the constructive dialogue, the Committee issues recommendations specifying the measures states need to take to tackle the challenges they are facing. The implementation of the recommendations of the Committee on the various clusters facilitates the implementation of the Charter and the examination of the progress achieved by the respective states in enhancing child rights protections.

73. As indicated earlier, the Committee will conduct follow-up mission to assess the implementation of its recommendations to State Parties. The implementation of the concluding observations can be examined based on the following indicators:

a. Allocation of resources: Implementation of the Charter as well as the recommendations of the Committee requires human and financial resources. Accordingly, States should allocate sufficient budget proportional to the number of children as well as their needs to ensure effective implementation.

b. Consideration of the recommendations during drafting: State Parties need to consult the recommendations of the Committee to review their legislation or during the formulation of new laws, policies, action-plans, and strategies.

c. Translation of the recommendations: The concluding observations and recommendations of the Committee need to be translated to local languages to increase its accessibility. The general public can benefit from the State Party reporting procedure when there is a concrete outcome. As the concluding observations are the main outcome of the process, it is essential that they are translated to local languages.

d. Dissemination of the recommendations: Even though the Committee formally sends its concluding observations and recommendations to the respective State Parties, the concluding recommendations are public documents. The Committee publicizes it through its website and formal channels. State Parties are also expected to disseminate the recommendations among various organs. Firstly, the recommendations should be transmitted to concerned organs of the governments for their consideration. Furthermore, the recommendations should be shared among other stakeholders such as CSOs, UN agencies, private actors and so forth. They should also be accessible
to children and the general public to ensure accountability.

e. Collaboration in the implementation of the recommendations: implementation of the concluding observations and recommendations of the Committee requires a coordinated effort. Due to various factors such as lack of resources and lack of personnel, States may not be able to implement the recommendations to the fullest. Therefore, it is important that they collaborate with other stakeholders to effectively implement the concluding observations.

74. Reference to recommendations in subsequent reports: one way to assess and follow-up the implementation of the concluding observations is through periodic State Party reports. In their subsequent periodic reports, State Parties should make reference to the recommendations of the Committee and highlight the measures they have taken to implement the recommendations.

AFRICAN GOVERNANCE ARCHITECTURE (AGA) AND STATE PARTY REPORTING

75. One of the aspirations of the African Union (AU) is to enhance the protection and promotion of human rights and build a culture of democracy and good governance. There are various normative frameworks and institutions established that are mandated to protect and promote human rights as well as strive to ensure democracy and good governance. AGA is a platform in which all these institutions which work in democracy, governance, and human rights can interact and undertake dialogues. AGA has four main components:

- Shared value norms: these constitute the various normative standards that are established by the AU which have values and norms regarding democracy, governance, and human rights.
- Institutions and stakeholders: the platform has the various institutions and stakeholders mandated to work in the normative frameworks of its members.
- Clusters: AGA has five clusters namely democracy, governance, human rights and transitional justice, constitutionalism and rule of law, and humanitarian assistance.
- African Governance Facility: this serves as the resource mobilization sect of the AGA platform.

76. The African Committee of Experts on the Rights and Welfare of the Child is one of the AGA platform members as an institution tasked with the protection and promotion of children’s rights.

77. AGA has various initiatives in relation to the State Party reporting mechanism. Mainly, it aims at receiving implementation reports on the African Charter on Democracy, Elections, and Governance. Taking into account the reporting fatigue which states are suffering from submitting reports to various organs, there is an initiative within AGA to introduce a consolidated reporting mechanism.

ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS ON THE RATIFICATION OF, REPORTING ON, AND IMPLEMENTATION OF THE AFRICAN CHILDREN’S CHARter

78. National human rights institutions (NHRIs) are crucial independent organs which enhance the process of building constitutionalism. These institutions operate independently and are deemed to hold governments accountable. The role of national human rights institutions in pushing States to ratify international instruments, in participating in the State Party Report preparation, and in following up the implementation of the recommendations of treaty bodies is disputable. On the one hand, there are allegations which claim that the involvement of NHRIs negatively affects their independence. On the other hand, it is argued that NHRIs already have mandate to make States accountable and hence their involvement in pushing for transnational accountability does not obstruct their accountability. Despite the arguments, it is certainly clear that NHRIs can play a tremendous role in the protection and promotion of children’s rights in their respective countries.

ROLE OF REGIONAL ECONOMIC COMMUNITIES (RECs) ON THE RATIFICATION OF, REPORTING ON, AND IMPLEMENTATION OF THE AFRICAN CHILDREN’S CHARter

79. Regional Economic Communities (RECs) are mainly established to foster continental economic integration in Africa. Even though protection of human rights is not the main element of the establishment of RECs, there are progressive and positive developments in RECs in the adoption of normative instruments as well as in establishing mechanisms for the protection of human rights. In general terms, the Treaty Establishing the African Economic Communities provides that one of the principles which States should adhere to in the establishment of RECs is the protection and promotion of human rights. The East African Community (EAC), the Economic Community of West African States (ECOWAS), and the Southern African Development Community (SADC) engage in the protection of human rights in various ways. The Treaty of ECOWAS makes reference to the African Charter and establishes that the protection and promotion of human rights is a cardinal principle. The Treaty establishes the ECOWAS Court of Justice and the 2005 Supplementary Protocol affords human rights jurisdiction to the Court. SADC also has
80. RECs can play a vital role in the implementation of the African Children’s Charter. There is a great opportunity in the RECs themselves to advance children’s rights by utilizing their own legislative and institutional frameworks. In addition, in their undertaking and summits, RECs can serve as a platform where States can encourage one another to ratify the African Children’s Charter as well as to comply with their reporting obligations. Such dialogue in RECs adds to the other various initiatives used to lobby Member States to ratify the Charter, report to the Committee, and commit to the implementation of the Charter. Representatives from RECs who are participating in the Forum will further explain the role of RECs in this regard.

ROLE OF CSOS ON THE RATIFICATION OF, REPORTING ON, AND IMPLEMENTATION OF THE AFRICAN CHILDREN’S CHARTER

81. CSOs have a significant part in the effective operation of the transnational systems. Treaty bodies like the African Committee do not operate on the ground and their mandates are limited to monitoring through constructive engagements or communications. However, CSOs operate at the grassroots level in their respective countries and are closer to States as they engage with governments on a continuous basis.

82. Through their continuous engagement, CSOs can push their governments to ratify international instruments such as the African Children’s Charter. Especially, CSOs working in children’s right can lobby their respective governments to ratify the Charter.

83. State Party reporting involves CSOs at many levels. First, States are supposed to undertake consultation with CSOs and hence CSOs can input in State Party reports. Second, CSOs can submit complementary report to the ACERWC based on State Party reports submitted. CSOs complementary report will be considered by the Committee in pre-sessions where CSOs personally present their reports to the Committee. Thirdly, CSOs have a role in publicizing and disseminating the concluding observations and recommendations of the Committee.

84. The role of CSOs further extends to implementation of the Charter and the recommendations of the Committee. As CSOs are directly working in children’s rights in their respective countries, their activities have positive addition to the realization of children’s rights provided in the Charter. They can consider the recommendations of the Committee in devising their programs and action plans. Through their own undertakings and their collaboration with governments, CSOs can improve the situation of children in State Parties.

CHALLENGES AND BEST PRACTICES ON THE IMPLEMENTATION OF SELECTED THEMATIC AREAS

85. The selected themes for the discussion under this session are:
   a. Status of access to basic services (education, health, adequate nutrition, and shelter) to all children;
   b. Violence against children
   c. Children in the situation of humanitarian crisis

86. There will be presentations, discussion, and other various activities for each thematic areas.

PLEDGING SESSION

87. The sessions that took place during the previous days aim at inspiring participant to take actions for the ratification of, reporting on, and implementation of the African Children’s Charter. During this session, representatives will make pledges about the actions they intend to take in their countries to ensure the implementation of the Charter.
# Program of Work

## Day 1 - Wednesday, 27 September, 2017

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<th>Objectives</th>
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<tr>
<td>09:00-09:30</td>
<td>Opening Ceremony</td>
<td>Facilitator</td>
<td>- Opening speech by the representative of the ACERWC</td>
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<td>- Performance by children</td>
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<td>- Welcoming speech by the Minister of Gender Equality, Child Development, and Family Welfare of Mauritius</td>
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<tr>
<td>09:30-10:00</td>
<td>Introduction</td>
<td>Facilitator</td>
<td>Introducing the program and the main objectives of the Forum</td>
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<td>- Expectation sharing session</td>
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<td>- General overview of the objective of the program.</td>
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<tr>
<td>10:05-10:20</td>
<td>Tea Break</td>
<td>Facilitator</td>
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<tr>
<td>10:20-12:30</td>
<td>Introduction to the African Children’s Charter</td>
<td>Mr Ayalew Getachew</td>
<td>- Creating understanding about the regional human rights system in which the ACERWC is placed</td>
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<td></td>
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<td>Mr Philippe Sekone</td>
<td>- Highlighting the reason behind ratification of international instruments including the ACERWC and convincing participants that reservations on ACERWC should be withdrawn</td>
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<td>Mrs Mariama Cisse (ACERWC Secretariat)</td>
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<tr>
<td>12:30-14:00</td>
<td>Lunch Break</td>
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<tr>
<td>14:00-14:30</td>
<td>Ratification and State Party Reporting</td>
<td>Facilitator</td>
<td>Highlighting the main reasons behind the reporting process to the ACERWC and aligning the reporting with the UN reporting process</td>
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<tr>
<td>14:30:15:30</td>
<td>Group discussion on ratification challenges, reservations, and the relevance of State Party reporting mechanism</td>
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<tr>
<td>15:30-15:45</td>
<td>Tea/Coffee Break</td>
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<tr>
<td>15:45-16:30</td>
<td>Reporting back to the plenary</td>
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<tr>
<td>16:30-17:30</td>
<td>Presentation and discussion on the Guidelines on State Party reporting to the ACERWC</td>
<td>Mrs Goitseone Nanke Nkwe (ACERWC)</td>
<td>Familiarizing the clusters of the ACERWC and the contents therein</td>
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<tr>
<td>18:30</td>
<td>End of Day 1</td>
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## Day 2 - Thursday, 28 September, 2017

<table>
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<th>Time</th>
<th>Activity</th>
<th>Presenter</th>
<th>Objectives</th>
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<tbody>
<tr>
<td>09:00-09:15</td>
<td>Recap</td>
<td>Facilitator</td>
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<tr>
<td>09:15-09:45</td>
<td>Presentation on the process of the preparation and compilation of State Party reports</td>
<td>Facilitator</td>
<td>Identifying the main considerations that should be taken into account during State Party reporting preparation process and experience sharing on contextualizing UNCRC reports to the Committee reporting guideline</td>
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<tr>
<td>09:45-10:30</td>
<td>Group discussions on preparation and compilation of reports</td>
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<tr>
<td>10:30-11:00</td>
<td>Reporting back to the plenary</td>
<td>Burkina Faso</td>
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<tr>
<td>11:00-11:20</td>
<td>Experience sharing</td>
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<tr>
<td>11:20-11:35</td>
<td>Tea Break</td>
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<tr>
<td>11:35-12:45</td>
<td>Panel: Experience sharing on the implementation of concluding observations and recommendations of the African Children’s Charter:</td>
<td>Cameroon</td>
<td>Identifying good practices and the main gaps that exist in the implementation of the recommendations of the Committee at the national level</td>
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<td>EACRN &amp; CRNSA</td>
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<tr>
<td>12:45-14:00</td>
<td>Lunch Break</td>
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<tr>
<td>14:00-15:00</td>
<td>Panel: Role of supporting institutions on the ratification of, reporting on, and implementation of the African Children’s Charter:</td>
<td>- NANHRI</td>
<td>Underlining the various roles NHRIs, RECs, and CSOs can play in the implementation of international instruments</td>
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<td>- EAC</td>
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<td>- CSO Forum</td>
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<tr>
<td>15:00-15:15</td>
<td>Tea Break</td>
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<tr>
<td>15:15-17:15</td>
<td>Presentations and discussions on the of implementation of selected thematic areas challenges and best practices.</td>
<td>Save the Children and Plan International</td>
<td>Identifying good practices and challenges on the provision of basic services to all children without any discrimination and encouraging States to fortify their efforts in making services more accessible</td>
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<tr>
<td></td>
<td>1. Status of access to basic services (education, health) to all children in Africa including children in vulnerable situations</td>
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<tr>
<td>18:30</td>
<td>Courtesy Dinner hosted by the Ministry of Gender Equality, Child Development and Family Welfare</td>
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<tr>
<td>Time</td>
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<tr>
<td>09:00-09:15</td>
<td>Recap</td>
<td>Facilitator</td>
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<tr>
<td>09:15-11:15</td>
<td>Presentations on the challenges and best practices of implementation of selected thematic areas: 2. Violence against children</td>
<td>World Vision International, ACPF, Child Fund, Equality Now Afri Child</td>
<td>Identifying good practices and challenges on the protection of children from all forms of violence and soliciting States to take further measures in enhancing protection</td>
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<tr>
<td>11:15-11:30</td>
<td>Tea Break</td>
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<tr>
<td>11:30-12:45</td>
<td>3. Children in situations of conflict and crisis</td>
<td>ICRC, NRC, Save the Children</td>
<td>Underscoring the main gaps in the continent in relation to humanitarian situations and learning how to overcome such challenges</td>
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<tr>
<td>12:45-13:10</td>
<td>Launch of the Continental Study on the Impact of Conflict and Crisis on Children in Africa</td>
<td>ACERWC</td>
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<td>13:10-14:30</td>
<td>Lunch Break</td>
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<tr>
<td>14:30-15:30</td>
<td>Pledging session</td>
<td>Facilitator</td>
<td>Inspiring participants to take action in their individual capacities towards ratification of, reporting on, and implementation of the Charter</td>
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<tr>
<td>15:30-15:45</td>
<td>Closing Remarks</td>
<td>Representative of the ACERWC</td>
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<td>15:45</td>
<td>Tea Break</td>
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In 2016, the ACERWC released its first ever comprehensive study on the impact of conflicts and crisis on children in Africa. The study was conducted in countries currently in conflict, countries in fragile post-conflict situations and/or countries in a major humanitarian crisis of multi-causal nature that require system-wide responses. Among the selected 13 countries, seven are countries experiencing active conflict as of the time of writing: Burundi, Central African Republic, Kenya, Libya, Nigeria, Somalia and South Sudan. The remaining six are in fragile post-conflict situations or in a major humanitarian crisis requiring a system-wide response: Democratic Republic of the Congo, Guinea-Bissau, Liberia, Mali, Sierra Leone and Sudan.

The study focused on Children’s rights that are directly affected or violated in armed conflict situations. These include; armed conflict and the impact on children’s right to education; armed conflict and its impact on children’s right to health and adequate food; armed conflict and its impact on separated children; and, armed conflict and Sexual violence against children. The study elaborates the wide-reaching negative impact of conflict and crisis on the overall well-being and development of children. Among other things, the report of the study reveals that accountability for violations in conflict situations remains a serious problem. Accountability extends to States, which have not been effective in preventing, stopping or managing conflicts and crisis situations in a manner sufficient to reduce their impact on children.

Furthermore, the study establishes that how conflict undermines the already fragile healthcare system by destroying healthcare infrastructure, blocking access to hospitals and clinics and exposing children to various diseases in situations where they cannot get the necessary treatments. It further reveals that millions of children in the continent are out of school because of the conflicts and that the intentional targeting and destruction of schools has become a common occurrence.